

Filed: October 1, 2015

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

BRIEFING ORDER - FRAP 30(c) AGENCY

No. 15-1713, William Smith v. Department of Labor
2009-ERA-007, 14-027

Briefing shall proceed on the following schedule:

Filing of record by agency:	
Filing of Rule 30(c) page-proof opening brief and service of appendix designations:	11/10/2015
Filing of Rule 30(c) page-proof response brief and service of additional appendix designations:	12/14/2015
Filing of appendix:	12/30/2015
Filing of opening brief, opening/response brief, response/reply brief, separate response brief & any reply brief in final form:	01/12/2016

Rule 30(c) page-proof briefs are filed in electronic format only; no paper copies are required. Final briefs and appendix must conform to the [Fourth Circuit Brief & Appendix Requirements](#) (available as a link from this order and at www.ca4.uscourts.gov). In preparing final briefs, the only changes the parties may make from the page-proof versions are the addition of appendix citations, correction of typographical errors, and addition of covers and binding.

All parties to a side must join in a single brief, even in consolidated cases, unless the court has granted a motion for leave to file separate briefs pursuant to Local Rules 28(a) and 28(d).

If a case has not been scheduled for a mediation conference, but counsel believes such a conference would be beneficial, counsel should contact the conference attorney's office directly at 843-521-4022, and a mediation conference will be scheduled. In such a case, the reason for scheduling the conference will be kept confidential.

Failure to file an opening brief within the scheduled time will lead to dismissal of the case pursuant to Local Rule 45 for failure to prosecute; failure to file a response brief will result in loss of the right to be heard at oral argument and may lead to imposition of sanctions if counsel has failed to comply with the court's directives. The court discourages motions for extension of time and grants extensions of the briefing schedule only in extraordinary circumstances upon a showing of good cause. Local Rule 31(c). If a brief is filed after its due date, the time for filing subsequent briefs will be extended by the number of days the brief was late.

Pursuant to Local Rule 34(a), the court may, on its own initiative and without prior notice, screen an appeal for decision on the parties' briefs without oral argument. If a case is selected for the oral argument calendar, counsel will receive notice that the case has been tentatively calendared for a specific court session approximately two months in advance of the session.

/s/ PATRICIA S. CONNOR, CLERK
By: Cathy Poulsen, Deputy Clerk